

1 PHILLIP A. TALBERT
United States Attorney
2 MATHEW W. PILE
Associate General Counsel
3 Office of Program Litigation, Office 7
4 MARGARET BRANICK-ABILLA (CABN 223600)
Special Assistant United States Attorney
5 Office of Program Litigation, Office 7
Office of the General Counsel
6 Social Security Administration
6401 Security Boulevard
7 Baltimore, MD 21235
Telephone: (510) 970-4809
8 Email: Margaret.Branick-Abilla@ssa.gov

9 Attorneys for Defendant

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11 UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA

13 ROBERT PATRICK MARKER,

14 Plaintiff,

15 vs.

16 COMMISSIONER OF SOCIAL SECURITY,

17 Defendant.

Civil No. 2:24-cv-01510-DMC

18 STIPULATION AND ORDER FOR
19 EXTENSION OF TIME

20 IT IS HEREBY STIPULATED by and between the parties, through their undersigned
21 attorneys, with this Court's approval, to extend the time by 35 days, from September 23, 2024, to
22 October 28, 2024, for Defendant to file his Cross-Motion for Summary Judgment. Plaintiff's
23 optional reply shall be due within 14 days after the filing of the Commissioner's Cross-Motion.

24 This is Defendant's first request for an extension of time. Plaintiff does not oppose the
25 requested extension.

26 The undersigned counsel for the Commissioner respectfully submits that good cause exists
27 for the requested extension. Due to ongoing staffing fluctuations and organizational changes, the
28 undersigned counsel for the Commissioner has been tasked with additional duties including

1 serving as a jurisdictional coordinator, reviewing other attorneys' work, training and mentoring
2 new attorneys, and handling more cases, including the instant case, which was recently reassigned
3 to her. The undersigned counsel for the Commissioner is also scheduled to be out of the office
4 later in September. As a result, and despite diligent efforts to comply with this Court's
5 Scheduling Order, the Commissioner needs an extension in the instant case to review the
6 administrative record, consider the issues that Plaintiff has raised, confer with his client as
7 necessary, and prepare the Commissioner's Cross-Motion.

8 Respectfully submitted,

9 Dated: September 16, 2024

LAW OFFICES OF FRANCESCO BENAVIDES

10 By: /s/ Francesco Benavides*

11 FRANCESCO BENAVIDES

12 Attorneys for Plaintiff

13 [*As authorized by e-mail on Sept. 16, 2024]

14 Dated: September 16, 2024

PHILLIP A. TALBERT

15 United States Attorney

16 MATHEW W. PILE

17 Associate General Counsel

Office of Program Litigation, Office 7

18 By: /s/ Margaret Branick-Abilla

MARGARET BRANICK-ABILLA

19 Special Assistant United States Attorney

20 Attorneys for Defendant

21 **ORDER**

22 Pursuant to the parties' stipulation, IT IS ORDERED that the Commissioner's Cross-
23 Motion for Summary Judgment shall be due on October 28, 2024, and Plaintiff's optional reply
24 shall be due within 14 days after the filing of the Commissioner's Cross-Motion.

25 Dated: September 16, 2024

26 

27 DENNIS M. COTA

28 UNITED STATES MAGISTRATE JUDGE